

REMARKS

Entry of the foregoing, reexamination and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

By the above amendments, claims 13-21 which are directed to a non-elected invention group have been canceled without prejudice or disclaimer. Claim 1 has been amended for clarification purposes to recite a method of manufacturing a bleach composition comprising a ferric 1,3-propylene diamine tetraacetic acid complex, as well as to recite the phrase "an amount of the ferrous 1,3-PDTA complex." Claims 4-6 have been amended for readability as well as for clarification purposes consistent with the above amendment of claim 1 by replacing the word "liquid" with "bleach composition."

Claim 1 has also been amended to recite that "the steps a) and b) are conducted before introducing the bleach composition to a color photographic material." Support for this amendment can be found in the instant specification at least at page 11, lines 10 and 11, taken in connection with page 1, lines 5 and 6. New claim 22-24 are directed to additional aspects of the present invention. Support for new claims 22-24 can be found in the originally filed application at page 7, lines 3-26, and original claim 21.

In the Official Action, claims 1-12 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,534,253 (*Kuykendall et al*). Withdrawal of this rejection is respectfully requested for at least the following reasons.

According to one aspect of the present invention as defined by amended claim 1, a method of manufacturing a bleach composition comprising a ferric 1,3-propylene diamine

tetraacetic acid complex is provided. The method comprises a) reacting ferrous bromide with unchelated 1,3-PDTA, thereby forming a ferrous 1,3-PDTA complex; and b) conducting an oxidation process wherein an amount of the ferrous 1,3-PDTA complex is converted to the ferric 1,3-PDTA complex. The steps a) and b) are conducted before introducing the bleach composition to a color photographic material.

Kuykendall et al relates to the use of a single-part bleach-fixing precursor composition comprising predominantly ferrous-ligand complexes (col. 1, lines 13-15). *Kuykendall et al* discloses delivering a single-part bleach-fixing precursor composition to a processing chamber containing a color developed color photographic silver halide material (col. 3, lines 51-54). *Kuykendall et al* also discloses that ferrous ion is converted to ferric ion in the bleach-fixing precursor composition during or after delivery to the processing chamber (col. 3, line 66 to col. 4, line 3).

Kuykendall et al does not render *prima facie* obvious one aspect of the present invention defined by claim 1. For the Patent Office to assert that a *prima facie* case of obviousness has been established, (1) there must be some suggestion or motivation to modify a reference, (2) there must be a reasonable expectation of success, and (3) the prior art reference must teach or suggest all the claim features. See M.P.E.P. §2143. In the present case, *Kuykendall et al* does not disclose or suggest each feature recited in claim 1 as now amended. For example, *Kuykendall et al* does not disclose or suggest that the steps a) and b) recited in claim 1 are conducted before introducing the bleach composition to a color photographic material.

In this regard, *Kuykendall et al* discloses the following at column 9, lines 2-6:

Since the bleach-fixing precursor compositions are provided from
an enclosed container that contains limited oxygen, ferrous ion

oxidation must occur during or after direct delivery of the composition to the processing chamber [emphases added].

Clearly, *Kuykendall et al* teaches away from conducting the ferrous 1,3-PDTA complex oxidation process before introducing the bleach composition to a color photographic material, as is presently claimed, because *Kuykendall et al* teaches that such oxidation must occur during or after the delivery of the composition to the processing chamber which contains the color photographic material.

As discussed in the instant specification at page 10, in the inventive method, the bleach composition does not have to be used immediately or soon after formation thereof due to, for example, the good stability characteristics thereof. In stark contrast, *Kuykendall et al* requires that the oxidation of the ferrous ion in the bleach-fixing precursor composition occur during or after direct delivery to the processing chamber. *Kuykendall et al* simply has no recognition or suggestion of the inventive method for forming a bleach composition, let alone the advantages associated therewith.

For at least the above reasons, it is apparent that no *prima facie* case of obviousness exists. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

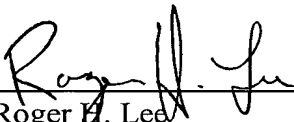
At page 3 of the Official Action, the Patent Office has stated that "applicant is required to show or provide an evidence to the contrary to the applied material and process from the applied reference for the claimed property of the material and process as claimed for its patentability." It is respectfully noted that Applicant is unable to fully understand the Patent Office's statement and is therefore unable to respond to such statement. Clarification of the above statement is respectfully requested.

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From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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